

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION

CASE NO. 00-6027-CR-ZLOCH  
Magistrate Judge Seltzer

UNITED STATES OF AMERICA,  
Plaintiff,

v.

JOHNNIE POWELL,

Defendant.

CLERK OF DIST. CT.  
S.D. OF FLA.-FTL  
MAR 17 PM 3:50


**DEFENDANT'S UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE PRE-TRIAL MOTIONS**

COMES NOW the defendant, Johnnie Powell, by and through his undersigned attorney, and files his Unopposed Motion For Extension of Time To File Pre-Trial Motions, and states as follows:

1. The above-styled matter is set for trial on the March 27, 2000, trial calendar with a calendar call set for Monday, March 27, 2000. This is the first trial setting in this case. The defendant has filed an unopposed motion for continuance seeking a continuance of at least sixty days.

2. The defendant is charged in a multi-count indictment with tax evasion. The discovery provided to date is relatively voluminous. Additional time is necessary to review the discovery and to discuss it fully with the defendant. Additional time also is necessary to research the issues that are ripe for potential pre-trial motions and then to prepare the motions.

3. The undersigned calculates the current pre-trial motion deadline as March 20, 2000. Should the Court grant the defendant's motion to continue the trial date, the undersigned respectfully requests an additional 31 days within which to file pre-trial motions, rendering said motions due by

  
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April 21, 2000. Substantial involvement in the preparation of several appellate briefs in the Eleventh Circuit has left the undersigned unable to expend the time necessary to prepare the pre-trial motions in this case. On February 29, 2000, the undersigned filed a Reply brief in the case of the *United States v. Annette Gerrow*, 11th Circuit case No. 99-12061-GG. On March 10, 2000, the undersigned filed an initial brief in the case of the *United States v. Jesus Carrasco*, 11th Circuit case No. 00-10228-A. The undersigned is currently preparing, and anticipates filing the week of March 20, 2000, the initial brief in the case of the *United States v. Maria Arroyo*, 11th Circuit case No. 00-10536-I. The Arroyo appeal involved review of approximately 1000 pages of trial transcript. Further, the undersigned is simultaneously working on preparing the initial brief in the case of the *United States v. Enrique Fernandez*, 11th Circuit case No. 00-10201-D. The brief is due on April 24, 2000, and involves an appeal from a four defendant trial lasting over two months. The transcript of the trial court proceedings consumes over forty (40) volumes of the record and exceeds 4,000 pages. In sum, the obligations associated with preparation of the above-mentioned appeals, together with several other cases pending before the district court, necessitate the undersigned requesting additional time to prepare the pre-trial motions in this case.

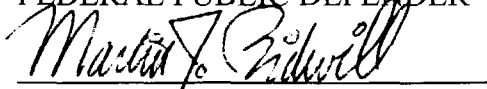
5. AUSA Robin Rosenbaum has advised that she has no objection to the Court granting the motion.

WHEREFORE the defendant prays that the Court extend the time for filing pre-trial motions by 31 days so that the motions are due by April 21, 2000.

Respectfully submitted,

KATHLEEN M. WILLIAMS  
FEDERAL PUBLIC DEFENDER

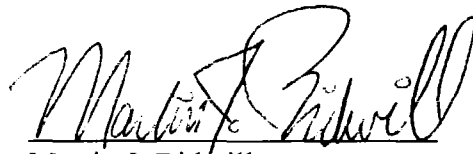
By:



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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the aforementioned motion was mailed on this 16<sup>th</sup> day of March, 2000, to Robin Rosenbaum, Assistant United States Attorney, 500 East Broward Boulevard, Suite 700, Fort Lauderdale, Florida 33394.

  
Martin J. Bidwill